

06/04/01

Type a plus sign inside this box

PTO/SB/05 (08/00)

Approved for use through 10/31/2002, OMB 0651-0032

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 1.53(b))

Attorney Docket No. 18617.NEW

First Inventor Scott, et al

Title Recombinant Multivalent Viral Vaccine

Express Mail Label No. EE209745965US

c-973 S. PTO
09/07/3861

06/04/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See CFR 1.27.
3. ☒ Specification [Total Pages / 43 /]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) [Total Sheets / 7 /]
- ☒ Oath or Declaration [Total Pages / 5 /]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Check in the amount of \$355; Request and Certification Under 35 U.S.C. 122 (b) (2) (B) (i)

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)of the prior application No: 08/552,369Prior application information: Examiner: Laurie ScheinerGroup/Art Unit: 1648For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**18. CORRESPONDENCE ADDRESS**

NAME	Ranjana Kadle				
	Hodgson Russ LLP				
ADDRESS	One M&T Plaza, Suite 2000				
CITY	Buffalo	STATE	New York	ZIP CODE	14203-2391
COUNTRY	United States of America	TELEPHONE	(716) 856-4000	FAX	(716) 849-0349

"Express Mail" Mailing Label Number EE209745965USDate of Deposit June 4, 2001

FEE TRANSFERTAL

for FY 2001

Patent Fees are subject to annual revision.

Application Number

Filing Date

June 4, 2001

First Named Inventor

Scott, et al

Examiner Name

Group/Art Unit

TOTAL AMOUNT OF PAYMENT

(\$ 355.00)

Attorney Docket Number

18617.NEW

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

3. ADDITIONAL FEES

Deposit Account Number: 08-2442
Deposit Account Name:
Hodgson Russ LLP

Large
Fee
CodeEntity
Fee
(\$)Small
Fee
CodeEntity
Fee
(\$)

Fee Description

Fee
Paid

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

105

130

205

65

Surcharge - late filing fee or oath

\$

☒ Applicant claims small entity status. See 37 CFR 1.27.

127

50

227

25

Surcharge - late provisional filing fee or cover sheet

\$

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

139

130

139

130

Non-English specification

\$

FEE CALCULATION

147

2,520

147

2,520

For filing a request for *ex parte* reexamination

\$

1. BASIC FILING FEE

Large Entity Small Entity

112

920*

112

920*

Requesting Publication of SIR prior to Examiner Action

\$

Fee Code Fee (\$)

113

1,840*

113

1,840*

Requesting Publication of SIR after Examiner Action

\$

101 210 201 355 Utility filing fee \$ 355

115

110

215

55

Extension for reply within first month

\$

106 320 206 160 Design filing fee \$

116

390

216

195

Extension for reply within second month

\$

107 490 207 245 Plant filing fee \$

117

890

217

445

Extension for reply within third month

\$

108 710 208 355 Reissue filing fee \$

118

1,390

218

695

Extension for reply within fourth month

\$

114 130 214 75 Provisional filing fee \$

128

1,890

228

945

Extension for reply within fifth month

\$

SUBTOTAL (1) \$ 355

119

310

219

155

Notice of Appeal

\$

2. EXTRA CLAIM FEES

Extra Fee from
Claims belowFee
Paid

120

310

220

155

Filing a brief in support of an appeal

\$

Total Claims / / -20** = / / x / / = \$

121

270

221

135

Request for oral hearing

\$

Independent Claims / / - 3** = / / x / / = \$

138

1,510

138

1,510

Petition to institute a public use proceeding

\$

Multiple dependent / / x / / = \$

140

110

240

55

Petition to revive - unavoidable

\$

Large Entity Small Entity

141

1,240

241

620

Petition to revive - unintentional

\$

Fee Code Fee (\$)

142

1,240

242

620

10 advance copies
Utility issue fee (or reissue)

\$

103 18 203 9 Claims in excess of 20 \$

143

440

243

220

Design issue fee

\$

102 80 202 40 Independent claims in excess of 3 \$

144

600

244

300

Plant issue fee

\$

104 270 204 135 Multiple dependent claim if not paid \$

122

130

122

130

Petitions to the Commissioner

\$

109 80 209 40 **Reissue independent claims over original patent \$

123

50

123

50

Processing fee under 37 CFR 1.17(q)

\$

110 18 210 9 **Reissue claims in excess of 20 and over original patent \$

126

180

126

180

Submission of Information Disclosure Statement

\$

SUBTOTAL (2) \$ 0

581

40

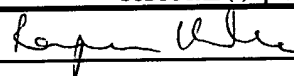
581

40

Recording each patent assignment per property (times number of properties)

\$

SIGNATURE:



146

710

246

355

Filing a submission after final rejection(37 CFR 1.129(a))

\$

Ranjana Kadle

Reg. No. 40,041

149

710

249

355

For each add'l invention to be examined(37 CFR1.129(b))

\$

DATE: June 4, 2001

Telephone: (716) 848-1628

179

710

279

355

Request For Continued Examination (RCE)

\$

Express Mail" Mailing Label Number: EE209745965US

169

900

169

900

Request for Expedited Examination of a design appln.

\$

Date of Deposit June 4, 2001

*Reduced by basic filing fee paid

SUBTOTAL (3)


\$ 0

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Scott, et al
	Title	Recombinant Multivalent Viral Vaccine	
	Atty Docket Number		18617.NEW

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 4, 2001

Date


 Signature

Ranjana Kadle

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

09673881-060401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Scott, et al

Serial No.: Not yet assigned

Filed: Herewith

For: Recombinant Multivalent Viral Vaccine

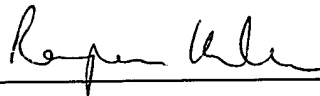
LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant declares that the Paper Copy of the Sequence Listing and the Computer Readable Copy filed with the above-referenced patent application are the same.

Respectfully Submitted,



Ranjana Kadle
Reg. No. 40,041

Hodgson Russ LLP
One M&T Plaza, Suite 2000
Buffalo, NY 14203-2391
(716) 848-1628
June 4, 2001

09073881-060401
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